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3 FAIR POLITICAL PRACTICES COMMISSION
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6

7 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
8 STATE OF CALIFORNIA
9

10 In the Matter of)	FPPC No.: 01 / 0463
)	
11 BERNARD (BUD) KROLL and J.P. MORGAN)	
12 INVESTMENT MANAGEMENT INC.)	STIPULATION, DECISION and
)	ORDER
13 Respondent.)	
)	
14)	
)	

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16 Complainant, Mark Krausse, Executive Director of the Fair Political Practices Commission, and
17 Respondents, Bernard (Bud) Kroll and J.P. Morgan Investment management Inc., hereby agree that this
18 Stipulation will be submitted for consideration by the Fair Political Practices Commission at its next
19 regularly scheduled meeting.

20 The parties agree to enter into this Stipulation to resolve all factual and legal issues raised in this
21 matter and to reach a final disposition without the necessity of holding an administrative hearing to
22 determine the liability of Respondents.

23 Respondents understand, and hereby knowingly and voluntarily waive, any and all procedural
24 rights set forth in sections 83115.5 and 11503 of the Government Code, and in section 18361 of Title 2
25 of the California Code of Regulations. This includes, but is not limited to, the right to personally appear
26 at any administrative hearing held in this matter, to be represented by an attorney at Respondent's own
27 expense, to confront and cross-examine all witnesses testifying at the hearing, to subpoena witnesses to
28 testify at the hearing, and to have an impartial administrative law judge preside over the hearing as a
hearing officer.

1 It is further stipulated and agreed that Respondents committed two violations of the Political
2 Reform Act as described in Exhibit 1, which is attached hereto and incorporated by reference, as though
3 fully set forth herein. Exhibit 1 is a true and accurate summary of the facts in this matter.

4 Respondents agree to the issuance of the Decision and Order, which is attached hereto.
5 Respondents also agree to the Commission imposing upon them an administrative penalty in the amount
6 of One Thousand Two Hundred Dollars (\$1,200.00). A cashier check from Respondents in said amount,
7 made payable to the "General Fund of the State of California," is submitted with this Stipulation as full
8 payment of the administrative penalty, and shall be held by the State of California until the Commission
9 issues its Decision and Order regarding this matter. The parties agree that in the event the Commission
10 refuses to accept this Stipulation, it shall become null and void, and within fifteen (15) business days
11 after the Commission meeting at which the Stipulation is rejected, all payments tendered by
12 Respondents in connection with this Stipulation shall be reimbursed to Respondents. Respondents
13 further stipulate and agree that in the event the Commission rejects the Stipulation, and a full evidentiary
14 hearing before the Commission becomes necessary, neither any member of the Commission, nor the
15 Executive Director, shall be disqualified because of prior consideration of this Stipulation.

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17 Dated:


2/22/02



Mark Krausse
Executive Director
Fair Political Practices Commission

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21 Dated:


2/14/02



Bernard (Bud) Kroll, Respondent

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24 Dated:

2/20/02



J.P. Morgan Investment Management Inc., Respondent

25
26
27 By:

THOMAS J. SMITH

(Type or print name)

1
2
3 Dated: 2/21/02Deborah B. Caplan
Lance H. Olson
Deborah B. Caplan
Olson, Hagel, Waters & Fishburn LLP
Attorneys for Respondents
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78 **DECISION AND ORDER**9
10 The foregoing stipulation of the parties "In the Matter of Bernard (Bud) Kroll and J.P. Morgan
11 Investment Management Inc., FPPC No. 01 / 0463," including all attached exhibits, is hereby accepted
12 as the final decision and order of the Fair Political Practices Commission, effective upon execution
13 below by the Chairman.14 IT IS SO ORDERED.
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16 Dated: _____

17 _____
18 Karen A. Getman, Chairman
19 Fair Political Practices Commission
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